

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 21247YP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501059
INTERNATIONAL APPLICATION NO. PCT/US03/32222	INTERNATIONAL FILING DATE 14 October 2003	PRIORITY DATE CLAIMED 18 October 2002	
TITLE OF INVENTION BETA-AMINO HETEROCYCLIC DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES			
APPLICANT(S) FOR DO/EO/US Tesyfye Biftu, Gui-Bai Liang, Xiaoxia Qian, Ann E. Weber, Danqing Dennis Feng			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]. <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. <p>Items 11 to 18 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> Other items or information: 			

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT JULY 9, 2004
EXPRESS MAIL NO. E1 989588908US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450.

DATE JULY 9, 2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501059		INTERNATIONAL APPLICATION NO. PCT/US03/32222		ATTORNEY'S DOCKET NUMBER 21247YP	
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19. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]: Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1,080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO \$770.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$730.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].					
Claims	Number Filed	Number Extra	Rate		
Total Claims	33 - 20 =	13	X \$18.00	\$234.00	
Independent Claims	5 - 3 =	2	X \$86.00	\$172.00	
Multiple dependent claim(s) (if applicable)			+ \$290.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,176.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$1,176.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$1,176.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	
TOTAL FEES ENCLOSED =				\$1,176.00	
				Amount to be refunded	
				charged	

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$1,176.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

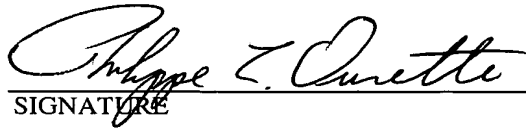
SEND ALL CORRESPONDENCE TO:

Customer No. 000210

MERCK & CO., INC.
 Patent Department, RY60-30
 P.O. Box 2000
 126 East Lincoln Avenue
 Rahway, New Jersey 07065-0970

DATE: July 9, 2004

PHONE #: (732) 594-4568


 SIGNATURE

 Philippe L. Durette
 NAME

 35,125
 REGISTRATION NUMBER
